

Appl. No. : 10/518,018
Filed : December 15, 2004

REMARKS

Claims 1-6 have been cancelled as directed to a non-elected invention. Claim 7 has been amended. Claims 7-8 are now pending in this application. Support for the amendments is found in the existing claims and the specification. Accordingly, the amendments do not constitute the addition of new matter. Applicant respectfully requests the entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

Rejection under 35 U.S.C. § 112, first paragraph

Claims 7 and 8 are rejected under 35 U.S.C. § 112, first paragraph, because the specification, while being enabling for treating or suppressing interleukin-6 causing disease with the administration of lactoperoxidase compositions as shown in the instant specification, does not reasonably provide sufficient evidence that the specification provides enablement for the prevention of disease.

With this amendment, reference to "preventing" has been deleted in claim 7.

In view of Applicants' amendment, withdrawal of the above ground of rejection is respectfully requested.

CONCLUSION

In view of Applicants' amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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